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C O N F I D E N T I A L SECTION 01 OF 02 NAIROBI 004128

SIPDIS

LONDON AND PARIS FOR AFRICA WATCHERS

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TAGS: [PGOV](#) [ASEC](#) [PREL](#) [KDEM](#) [KE](#)

SUBJECT: ANTI-FOREIGN RHETORIC HEATS UP KENYA'S "YES" CAMPAIGN

REF: A) NAIROBI 4080 B) NAIROBI 3988

Classified By: Political Counselor Michael J.Fitzpatrick for reasons 1.4 (b,d)

1. (SBU) SUMMARY: The foreign diplomatic community -- and the U.S. Ambassador in particular -- came under fire October 1 for their criticisms of the referendum campaigns for and against a new Kenyan Constitution. The U.S. was singled out among the foreign missions accused of funding the "No" campaign in an alleged effort to destabilize the Kibaki government. "Arab absentee landlords" also came in for public rebuke. Elsewhere, the Maasai and other pastoralists convened to formally declare their opposition to the proposed new constitution. END SUMMARY.

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Fallout From the Press Statement  
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2. (SBU) The "Yes" campaign in support of a new Kenyan constitution was "relaunched" October 1 in friendly territory, Nakuru. Poloff attended the public outdoor rally, which was led by 41 Members of Parliament, including 11 ministers, and featured Vice President Moody Awori. The speaker line-up was dominated by ethnic Kikuyus, in predominately Kikuyu Nakuru. Whereas a number of previous rallies (both pro- and anti-) have encouraged ethnic divisions and promoted tribalism, the Nakuru rally took a different tack -- and focused on alleged foreign influences. In addition to the ad hominem attacks on their domestic opponents, the "Yes" speakers expanded their efforts to taint the "No" campaigners by launching into incendiary attacks against the international community in Kenya, and the U.S. Ambassador in particular.

3. (SBU) Security Minister John Michuki took to the podium to denounce the September 27 meeting between foreign envoys and the Electoral Commission of Kenya Chairman Samuel Kivuitu. He decried the 26-Embassy press statement released after that meeting, which cautioned both camps against inciting violence and criticized the inappropriate use of government resources (ref A). Michuki referred to the "audacity" of the envoys, actions and emphasized that the envoys did not seek permission to meet with Kivuitu. Michuki further denounced what he termed foreign interference in Kenyan domestic politics and likened the action of the envoys to colonialism.

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The U.S. Implicated in Plot8  
to Overthrow Government  
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4. (SBU) Minister Michuki was followed by an un-planned speaker, Assistant Minister for Finance Mutua Katuku, who further flamed the anti-foreign sentiment. He specifically accused the U.S. Ambassador of funding the No campaign. Katuku stated that he had heard it with his own ears that that white man8 intended to spend as much money as necessary to overthrow the Kibaki government. Katuku accused foreign diplomats of providing Sh 5 billion (NOTE: equivalent to USD 67 million! END NOTE.) to the "No" campaign leaders. Katuku alleged foreigners were intent on blocking the new constitution, asserting that foreigners benefit from the current constitution and will lose out under the new draft. He then repeatedly encouraged the crowd to chant that they reject foreign (also referred to as white men8) interference. At this point, Poloff, the only non-African present at the rally of several thousand, found herself the subject of much interest from her neighbors in the crowd. Fortunately, the crowd appeared more confused than incensed by the politicians, fury. The mainstream news media largely glossed over Katuku's accusations against the U.S. Ambassador, and spoke of allegations of foreign financing only in general terms.

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Arabs on the Coast Also Come Under Attack  
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5. (C) Foreign diplomats were not the only group to come under fire. Earlier in the morning, at a separate "Yes"

rally in Machakos district, Assistant Minister Katuku accused "Arab" non-governmental organizations of funneling money into the "No" campaign. During the Nakuru rally, MP Kalembe Ndile pointed an accusing finger at Arabs on the coast for financing the "No" campaign. Ndile also accused foreign diplomats of acting to protect white landowners. (NOTE: Presidential advisor Stanley Murage complained to PolCouns October 2 that "Yemeni absentee landlords" are funding the "No" campaign to protect their landholdings. In the same conversation, Murage accepted the Ambassador's protest over Katuku's incitement based on lies of U.S. funding of the opposition, and promised to speak directly with Katuku. END NOTE.)

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Pursuit of MPs Raise Specter of Moi Era Persecution  
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16. (C) MPs David Mwenje (Embakasi) and Reuben Ndolo (Makadara), both vocal "No" supporters, were arrested on September 30, following their storming of a September 29 pro-"Yes" meeting held in Mwenje's home constituency. Shots were fired. The two MPs had subsequently fled to Parliament, where they remained overnight under the threat of arrest. An estimated 50 police officers kept vigil outside Parliament to prevent their escape. The MPs managed to evade the police, escaped Parliament, and presented themselves before a magistrate where they applied for preemptory bail. Nevertheless, the police discovered the MPs' location at the court and promptly arrested them amidst very heavy security. After spending the weekend shuffling from police station to police station, much to the dismay of their concerned family members, the two MPs were charged with destruction of property and released on bail on October 3. (NOTE: During a September 30 meeting with the Ambassador, Security Minister Michuki stated he personally ordered the two MPs, arrest. END NOTE.) While the MPs, actions in disrupting a peaceful gathering are cause for concern, the government's "overreaction" has been decried by many as politically motivated persecution. In the eyes of many, the government's actions have turned into martyrs those who would otherwise be deemed troublemakers.

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Pastoralists Pledge Support to the "Nos"  
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17. (U) Simultaneous with the October 1 Nakuru rally, the small town of Suswa witnessed the largest gathering of Maasai in living memory. Pastoralists from Narok, Transmara, Kajiado, Laikipia, Samburu, Isiolo, Marsabit, and even West Pokot attended the gathering to formally declare their opposition to the proposed new constitution, in what they termed the Suswa Declaration. The communities, identified land issues, in addition to executive power and devolution, as fatal flaws in the proposed constitution. The No stance was arrived at despite the government's announcement the previous day that Amboseli National Park would revert to Maasai community ownership. A former Narok city counselor asserted to poloff that such a transfer was illegal and amounted to little more than an empty promise given that the proposed new constitution, if adopted, would supercede any legal notice from the Minter for Tourism. The proposed new constitution, he argues, would adversely impact the rights of community landholders by the establishment of a National Land Commission which would have some jurisdiction over the use and development of community land, and might even require community land revert back to government control. Needless to say, the government's attempt to placate the Maasai community did not have its desired affect. (See septel for a review of enticements being employed by the government to win more voters to their side.)

18. (SBU) COMMENT: It is perhaps not surprising to hear some "anti-foreign" reaction from the "Yes" campaigners after the envoys' press statement. But it is dismaying -- and a cause for concern. It represents a disturbing trend in referendum campaigns already characterized by violence and deepening tribal divisions. The verbal attacks against diplomats in Kenya is designed primarily to discredit domestically the "No" campaigners, by painting them as slaves pandering to foreign masters; we do not believe it reflects any real anti-foreigner sentiment on the part of government leadership. The anti-foreigner rants to discredit the "Nos" may be a sign of the "Yes" campaign's increasing desperation in the face of the growing momentum of the "No" campaign. Or maybe they just think they can get away it.  
BELLAMY